

MEETINGS TO DATE 25
NO. OF REGULARS 22
NO. OF SPECIALS 3

LANCASTER, NEW YORK
NOVEMBER 19, 1973

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 19th day of November, 1973 at 8:00 P.M. and there were

PRESENT:

LEO N. WEIMER, SUPERVISOR

EDWARD A. BERENT, COUNCILMAN

PETER J. BOLENDER, COUNCILMAN

ARTEL J. METZ, COUNCILMAN

ABSENT:

JOSEPH R. BARNHARDT, COUNCILMAN

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK

TIMOTHY J. DWAN, DEPUTY TOWN ATTORNEY

EDWARD J. FERON, JR., TOWN ENGINEER

VICTOR H. OTT, POLICE CHIEF

WILLIAM F. DOUGHERTY, JR., BUILDING INSPECTOR

BID OPENING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster all materials and equipment, together with all labor to Demolish and Remove the building at 10 School Street.

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN METZ AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:01 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

The following proposals were received:

<u>BIDDER</u>	<u>BID</u>
1. J. R. Tree Company, Inc. West Falls, New York 14170	\$ 1,345.00
2. Walt's Tree Service, Inc. 69 Cemetery Road Lancaster, New York 14086	\$ 1,230.00
3. Lebis Contracting Inc. 261 Massachusetts Avenue Buffalo, New York 14213	\$ 4,250.00
4. R. A. Metzger, Inc. 590 Conley Road Elma, New York 14059	\$ 1,540.00

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous roll call vote, the aforesaid proposals were ordered turned over to the Town Engineers for examination, tabulation, and recommendation.

OFFICIAL REPORTS:

The Town Clerk reported that the following department of the Town of Lancaster has filed with him their Monthly Report as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Building Inspector	September and October, 1973

The Town Clerk reported that the following Board of the Town of Lancaster has filed with him minutes of their meeting as follows:

Planning Board	Meeting #18 October 17, 1973
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COMMITTEE REPORTS:

Councilman Metz, for the Investigating Committee, reported that he and Highway Superintendent Lume have made preliminary checks of the Aurora Street and Lake Avenue bridges within the Village of Lancaster and that the Superintendent will consult with the Town Engineers relative to remedial repairs on these two (2) bridges.

Councilman Berent, for the Police and Safety Committee, reported that his Committee is investigating the feasibility of requesting a traffic signal at the intersection of Bowen Road and William Street.

Councilman Berent, for the Recreation Committee, presented a letter from the Village of Lancaster indicating that the Village will notify the Town Board if they are interested in a joint Recreation Project for development of approximately $9\frac{1}{2}$ acres of land in the Second Avenue-Richmond Avenue area.

The Town Clerk was directed to place this communication on the next agenda of the Town Board.

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:.

RESOLVED, that the Minutes of the Regular Meeting of the Town Board
held on November 5, 1973, as presented by the Town Clerk, be and hereby are
approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~dux~~

The resolution was thereupon unanimously adopted.

November 19, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Erie County Attorney has submitted a contract between the County of Erie and the Town of Lancaster covering the removal of snow and ice and the erection of snow fences on certain roads located within the boundaries of the Town of Lancaster for the period June 1st, 1973 through May 31st, 1974,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized and directed to execute a contract between the Town of Lancaster and the County of Erie for the removal of snow and ice and erection of snow fences on certain roads located within the boundaries of the Town of Lancaster for the period June 1st, 1973 through May 31st, 1974, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized and directed to certify to the County of Erie as to the adoption of this resolution and that the Town of Lancaster is covered by bodily injury liability insurance in the sum of \$100,000.00 for each person and \$300,000.00 for each accident; property damage liability insurance in the sum of \$50,000.00 for each accident; and Workmen's Compensation insurance coverage for all employees and that the aforesaid insurance fully covers the period of June 1st, 1973 through May 31st, 1974.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon unanimously adopted.

November 19, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has learned that the Reserve Volunteer Ambulance Corps has recently completed its 10,000th ambulance call, and

WHEREAS, the Town Board of the Town of Lancaster recognizes the hard work, devotion to duty, deep concern and compassion of the members of the Reserve Volunteer Ambulance Corps, the Chief of Police and the Police Department of the Town of Lancaster, which Department pioneered free ambulance service to all persons within the boundaries of the Town of Lancaster, and

WHEREAS, it is fitting and proper to call to the attention of the residents of the Town of Lancaster the hard work, devotion to duty, deep concern and compassion of the Reserve Volunteer Ambulance Corps, the Chief of Police and the Police Department of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that on the occasion of the 10,000th ambulance call by the Reserve Volunteer Ambulance Corps of the Town of Lancaster, the Town Board of the Town of Lancaster hereby commends the officers and members of the Reserve Volunteer Ambulance Corps, the Chief of Police and the Police Department of the Town of Lancaster upon reaching this important milestone in devoted public service to the residents of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to the President of the Reserve Volunteer Ambulance Corps and the Chief of Police of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~

The resolution was thereupon unanimously adopted.

November 19, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that sealed bids be received by this Town Board on ,
December 3, 1973, up to 8:15 o'clock P.M., Eastern Standard Time, for
supplying No. 2 Fuel Oil to the Town of Lancaster during the year 1974, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to
publish a Notice to Bidders for fuel oil in the Lancaster Enterprise and
post such notice as required by law.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~
The resolution was thereupon unanimously adopted.

November 19, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated October 17, 1973, has requested the Town Board to advertise for bids to furnish three (3) new 1974 automobiles for the Police Department,

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders and/or Automobile Dealers be published in the Lancaster Enterprise and be posted according to law that the Town Board will receive bids up to 3:30 o'clock P.M., Eastern Standard Time, on December 3, 1973, to furnish three (3) new 1974 automobiles to the Police Department of the Town of Lancaster in accordance with specifications on file in the Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows: .

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~duly~~
The resolution was thereupon unanimously adopted.

November 19, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, the Governor of the State of New York has reduced the State speed limit on State Highways from 55 miles per hour to 50 miles per hour in order to conserve fuel in the current energy crisis facing this nation, and

WHEREAS, the New York State Thruway Authority has similarly reduced its speed limit to 50 miles per hour, and

WHEREAS, the Federal Government has called upon all agencies and individuals to do their part in conserving fuel, and

WHEREAS, the Town Board of the Town of Lancaster, recognizing its obligation to do its part in urging the conservation of fuel and energy, desires to reduce the speed limit on all Town and County Highways in the Town of Lancaster from the current 55 miles per hour to 50 miles per hour, except where a lower speed limit has been enacted, and

WHEREAS, in accordance with the provisions of Section 1622 of the Vehicle & Traffic Law of the State of New York and in accordance with the Vehicle & Traffic Ordinance of the Town of Lancaster, County concurrence and joint application to the Department of Transportation is necessary by the Town of Lancaster and the County of Erie,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk take action to request the County of Erie to join in a joint application to the Department of Transportation to reduce the speed limit on all Town roads and County roads in the Town of Lancaster from the maximum of 55 miles per hour to 50 miles per hour, except where a lesser speed limit has been enacted.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~
The resolution was thereupon unanimously adopted.

November 19, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster is vitally concerned
with conserving energy in the current energy crisis, and

WHEREAS, the Town of Lancaster desires to do its part in the conserva-
tion of energy,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Superintendent of Highways, Chief of Police, Recreation
Director and all other department heads using Town of Lancaster vehicles and
equipment or their own vehicles on Town business be strongly urged to review
their transportation and equipment handling practices to bend every effort to
conserve fuel wherever possible and to conserve electricity by the careful use
of light and power to essential areas and purposes.

2. That the Town Clerk contact Congressman Jack Kemp by letter,
urging immediate action at the Federal level to curtail export of oil and
petroleum products during the current crisis and to conserve same for the
needs of the people of this country; and that Congressman Jack Kemp be further
urged to continue his efforts for diplomatic negotiations with Canada to
continue a steady supply of petroleum products necessary to the needs of the
Niagara Frontier.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xduly~~
The resolution was thereupon unanimously adopted.

November 19, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, the Town Clerk, by letter of November 12, 1973, has
requested authorization to attend a Public Hearing on the revision of the New
York State Dog Law at Syracuse, New York, on Tuesday, November 27, 1973,

NOW, THEREFORE, BE IT

RESOLVED, that Robert P. Thill, Town Clerk of the Town of Lancaster,
be and hereby is authorized to attend the Public Hearing to be held by the
Standing Committee on Agriculture of the New York State Assembly at Syracuse,
New York, on November 27, 1973, with reimbursement for actual and necessary
expenses not to exceed \$45.00.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxxx~~
The resolution was thereupon unanimously adopted.

November 19, 1973

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN BOLENDER, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 6307 to 6567 Incl.	\$ 39,256.91
Special District Funds	No. 1274 to 1275 Incl.	4,525.43
Part Town Funds	No. 1521 to 1522 Incl.	616.30
Highway Funds	No. 3177 to 3183 Incl.	6,996.85
Trust & Agency Funds	No. 495 to 496 Incl.	12.50

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
- SUPERVISOR WEIMER	VOTED	YES

~~duy~~
The resolution was thereupon unanimously adopted.

November 19, 1973

THE FOLLOWING RESOLUTION WAS OFFERED BY
 COUNCILMAN METZ, WHO MOVED ITS
 ADOPTION, SECONDED BY COUNCILMAN
 BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are
 hereby approved and the issuance of Building Permits be and are hereby
 authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
147	Daniel Robinson	266 Schwartz Road	ER. FR. BR. VEN. SING. DWLG. PVT. GAR.
148	Donald Cedar	361 Westwood Road	ER. METAL FENCE

The question of the adoption of the foregoing resolution was duly
 put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~duky~~

The resolution was thereupon unanimously adopted.

November 19, 1973

THE FOLLOWING RESOLUTION WAS OFFERED BY
 COUNCILMAN BOLENDER, WHO MOVED ITS
 ADOPTION, SECONDED BY COUNCILMAN METZ
 TO WIT:

BE IT RESOLVED, that the following transfers within the General Fund of the Town of Lancaster be effected:

	To		From	
	Account	Amount	Account	Amount
<u>Buildings - Town Hall</u>				
Supplies and maint. of mach.	A.00.1620.44	\$ 91.38		
Painting and repairs			A.00.1620.43	\$ 91.38
<u>Central Printing & Mailing</u>				
Printing, stationery and publications	A.00.1670.41	1,300.00		
Transfer from Unapprop. Bal.			A.00.9999.00	1,300.00
<u>Police and Constables</u>				
Clothing Allowance	A.00.3120.47	267.71		
Training Programs			A.00.3120.46	267.71

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED	<u>WAS ABSENT</u>
COUNCILMAN BERENT VOTED	<u>YES</u>
COUNCILMAN BOLENDER VOTED	<u>YES</u>
COUNCILMAN METZ VOTED	<u>YES</u>
SUPERVISOR WEIMER VOTED	<u>YES</u>

The resolution was declared unanimously adopted.

DATED: November 19, 1973

STATUS REPORTS ON UNFINISHED BUSINESS:

1. Traffic Study - Walden Avenue

On March 12, 1973 the New York State Department of Transportation indicated that the necessary speed checks for this study were being taken during the week of February 26th and that a report will be forthcoming.

2. Rezone Petition - Ralph Figlow - Aurora Street

On October 16, 1972, after a Public Hearing, this matter was referred back to the Planning Board for review and report to the Town Board.

3. Cayuga Creek Flood Program

On May 11, 1973 the Army Corps of Engineers notified the Town Board that they had completed their field inspection and that they are preparing a report which is scheduled to be completed by September, 1973.

4. Tax Abatement - Police Services - County Sheriff's Department

On September 27, 1973 the Assistant County Attorney transmitted to the Town of Lancaster a copy of the most recent Comptroller's opinions relative to this type of tax abatement.

The Town Attorney was directed to review the opinions and report back to the Town Board.

5. Railroad Crossing - Improved Safety

On July 24, 1973 the Erie-Lackawanna Railroad acknowledged receipt of a letter from the Town Attorney and indicated that they have programmed these crossings for repairs.

6. Adoption of Flood Plain Legislation

On November 5, 1973 the Town Board set a Public Hearing on this matter for Monday, December 3, 1973.

PERSONS DESIRING TO ADDRESS THE TOWN BOARD:

None

COMMUNICATIONS:DISPOSITION

447. Town Clerk to Town Board -
Resume of actions taken in response to
resolutions and directions - Meeting of
November 5, 1973.

R & F

448. Twin District Volunteer Fire Co, Inc. to
Town Clerk -

Transmittal - Location of hydrants in
first call area to be staked by Town
Highway Department.

R & F

449. Malcolm J. Francis, Jr. to Town Board -
Re: Application to position on Town
Planning Board.

Planning Committee

450. Bernard F. Shone to Supervisor -
Transmittal - Third Quarterly Report
and Final Report for fiscal year of
Operating Budget and Attendance and
Membership - Junior Citizens' Club.

Recreation Commission
Recreation Committee

451. Gertrude Scheffler to Town Board -
Expression of thanks and appreciation
for expression of sympathy.

R & F

452. Town Clerk to Town Board -
Request authorization to attend Public
Hearing on revision of State Dog Law
at Syracuse, New York, on Tuesday,
November 27, 1973.

R & F

453. Diane L. Augustine to Town Board -
Requester for Maternity Leave as
Clerk-Typist in Town Assessor's
Office - January 1, 1974 through
January 1, 1975.

Town Attorney

454. Governor Rockefeller to Supervisor
Weimer -
Request lowering of Speed Limits to
50 M.P.H. on all roadways.

R & F

455. Town Assessor to Town Board -
Recommendation - Granting of one (1)
year Leave of Absence from January 1,
1974 to January 1, 1975 for
Mrs. Diane Augustine.

R & F

456. New York Telephone Co. to Supervisor -
New service numbers for Customer
Service.

R & F

457. Supervisor to Town Board -
Request Transfer of Funds - New
Computer.

Supervisor

458. Supervisor to Town Board -
Notification - Investment of funds
on November 15, 1973 with Marine
Midland Bank-Western for dollar
earnings of \$133.62 and \$3,321.49.

R & F

459. President, Reserve Volunteer Ambulance
Corps, to Town Board and Chief Ott -
Summary of 1972 compilation of
statistics concerning ambulance
runs performed by Reserve Volunteer
Ambulance Corps.

R & F

COMMUNICATIONS:

DISPOSITION

460. New York State Dept. of Environmental
Conservation to Supervisor -
Thank you for presenting statment at
Public Hearing in Albany, New York
regarding New York State's Priority
System.

R & F

461. County Finance Department to Supervisor -
Request for copy of maps or plates
being used as tax maps.

Board of Assessors

ADJOURNMENT:

ON MOTION OF COUNCILMAN BOLENDER, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 8:25 P.M.

Signed

Robert P. Thill

Robert P. Thill, Town Clerk